

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL DELNER CRUMPTON,

Plaintiff,

Case No. 1:23-cv-417

v.

Honorable Jane M. Beckering

COUNTY OF BARRY,

Defendant.

/

**ORDER FOR SERVICE**

This is a prisoner civil rights action. Plaintiff initiated this action by filing a complaint against the “Barry County Jail Medical Staff” as well as numerous employees of the Michigan Department of Corrections (MDOC). *See Crumpton v. Barry Cnty.*, 1:22-cv-1071 (W.D. Mich.). In an opinion and order entered on April 24, 2023, the Court, *inter alia*, substituted Barry County for the Barry County Jail Medical Staff and severed Plaintiff’s claims against Barry County into a new related case. Op. & Ord., *Crumpton v. Barry Cnty.*, 1:22-cv-1071 (W.D. Mich.) (ECF Nos. 12, 13). The Court noted that Plaintiff’s allegations sufficed to state a claim for relief against Barry County. Therefore:

**IT IS ORDERED** that the Clerk shall forward the complaint to the U.S. Marshals Service, which is authorized to mail a request for waiver of service to Barry County in the manner prescribed by Fed. R. Civ. P. 4(d)(2). If waiver of service is unsuccessful, summons shall issue and be forwarded to the U.S. Marshals Service for service under 28 U.S.C. § 1915(d).

**IT IS FURTHER ORDERED** that Barry County shall file an appearance of counsel (individual Defendants may appear *pro se* if they do not have counsel) within 21 days of service

or, in the case of a waiver of service, 60 days after the waiver of service was sent. Until so ordered by the Court, Barry County is not required to file an answer or motion in response to the complaint, and no default will be entered for failure to do so. *See* 42 U.S.C. § 1997e(g)(1). After Barry County has filed an appearance, proceedings in this case will be governed by the Court's Standard Case Management Order in a Prisoner Civil Rights Case.

Dated: May 8, 2023

/s/ Ray Kent  
Ray Kent  
United States Magistrate Judge